

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

DAVID L. ROBINSON,

Petitioner,

v.

DAVID MILLS, Warden

Respondent.

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NO. 2:04-0067

JUDGE HAYNES

ORDER

In accordance with the Memorandum filed herewith, the Petitioner's petition for the writ of habeas corpus is **GRANTED**. The State is given one hundred twenty days (120) from the date of this Order in which to provide Petitioner a new trial.

This is the Final Order in this action.

It is so **ORDERED**.

ENTERED this the 23rd of January, 2009.



WILLIAM J. HAYNES, JR.
United States District Judge